

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

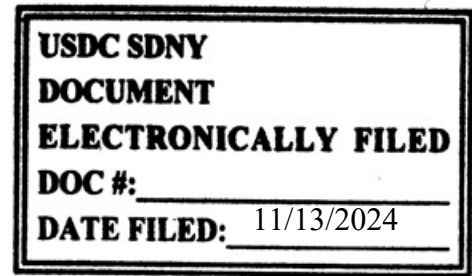
YANDY REYES, individually and on behalf of all
others similarly situated, and RE: YES LAW PLLC,

Plaintiffs,

-against-

SAVE AMERICAN EDUCATION FUND, et al.,

Defendants.



24-cv-08451 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

The Court is in receipt of the November 6, 2024 complaint in this action. *See* Dkt. No. 1. Although Plaintiff is *pro se*, Plaintiff is an attorney and thus is not entitled to the special solicitude generally afforded to *pro se* litigants. *Tracy v. Freshwater*, 623 F.3d 90, 101–03.

As an initial matter, Plaintiff alleges that venue is proper in the Southern District of New York because “Defendants reside in the State of New York within the meaning of 28 U.S.C. § 1391(c)” and “because this is the judicial district in which a substantial part of the events or omissions giving rise to the claims in this case occurred.” *Id.* at ¶¶ 6, 7. These allegations are insufficient for the Court to determine whether venue properly lies in this district, particularly since there are no allegations regarding events occurring within the district and other asserted facts specifically reference other locations outside the district (*e.g.*, Plaintiff resides in Queens County, New York, which is located in the Eastern District of New York, and Defendants allegedly reside in Washington, D.C. and Massachusetts).

Accordingly, it is hereby ORDERED that Plaintiff must amend the complaint to provide a sufficient factual basis for the assertion of venue or consent to transfer this matter to another district no later than **December 13, 2024**, or risk dismissal of this action.

Dated: November 13, 2024
New York, New York

SO ORDERED.


MARGARET M. GARNETT
United States District Judge